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**OFFICE OF PETITIONS**

In re Application of :  
Michael Whitsett :  
Application No. 10/690489 : DECISION ON  
Filing or 371(c) Date: 10/21/2003 : PETITION  
Attorney Docket Number: W04-1041 :  
:

This is a decision in response to the petition under 37 CFR 1.137(a), filed September 5, 2006, to revive the above-identified application.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the Office communication mailed August 2, 2005 and September 21, 2005<sup>1</sup>. The Office communication set one (1) month period for reply. No response having been received, the application became abandoned on October 21, 2005. A Notice of Abandonment was mailed August 22, 2006.

Applicant files the instant petition wherein Applicant avers that a timely reply to the Notice was filed and received in this Office as evidenced by Applicant's return-receipt postcard. In support of this assertion, Applicant files a copy of his return-receipt postcard, a review of which acknowledges receipt by this Office of a "Response to Office Action dated 8/2/05".

In view of the above, the petition is granted. The application will be referred to Technology Center Art Unit 3673 for processing of the Response, and for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

*Derek L. Woods*  
Derek L. Woods  
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<sup>1</sup> The September 21, 2005 Notice re-set the reply period for the August 2, 2005 Notice.